

ANSWER

Case # 08 C 763 CH

West Suburban Bank

(Citation Respondent)

certify under penalty of perjury that with regard to the property of judgment debtor, the Citation Respondent filed the following answer to this Citation to Discover Assets and its possession the following property of the judgment debtor.

Circle one or more of the following and indicate the amount held:

- (A) Savings Account (Amount withheld) \$ No FUNDS
- (B) Checking and/or Now Account (Amount withheld) No FUNDS
- C) Certificate of Depository (Amount held) \$ _____
- D) Money Market Account (Amount held) \$ _____
- E) Trust Account (Amount held) \$ _____
- F) Safety Deposit Box \$ _____
- G) No Accounts _____
- H) Adverse Claimant: Name _____
Address _____
- I) Wages, Salary or Commissions _____
- J) Other Personal Property (Describe) _____

Attach a sheet for any additional information required by the Citation

Sub-Total _____

Less right of offset for other loans _____

Less deduction for fees limited by
205 ILCS 5/48.1 _____

Total - 0 -

According to the business records kept by the Citation Respondent, we show the above information to be correct.

Mary Lou Zaremba
Agent for Citation Respondent

5/15/08
Date

Respondent/Agent:

Agent Name: MARY LOU ZAREMBA

Business Name: _____

Address: WEST SUBURBAN BANK
711 S. MEYERS RD.
LOMBARD, IL 60148

Phone: 630.652.2339

Fax: 630-629-1240

NOTE: A copy of this Answer should be mailed or faxed to the Attorney for Plaintiff or Judgment Creditor and the Defendant

FILED

MAY 20 2008 TC

May 20 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**LABORERS' PENSION FUND and
LABORERS' WELFARE FUND OF THE
HEALTH AND WELFARE DEPARTMENT
OF THE CONSTRUCTION AND GENERAL
LABORERS' DISTRICT COUNCIL OF
CHICAGO AND VICINITY,**

Plaintiffs,

V.

No. 08 C 763

DIXON INTERIORS, INC.,

Judge Gettleman

Defendant.

CITATION TO DISCOVER ASSETS

TO: Ms. Lee Brown
c/o West Suburban Bank
Loss Prevention Department
711 S. Westmore-Meyers Road
Lombard, IL 60148

THIS COURT HAS ISSUED A CITATION AGAINST the WEST SUBURBAN BANK.

The citation directs you to appear before Karen I. Engelhardt, attorney for the plaintiffs, at 230 W. Monroe Street, Suite 2600, Chicago, Illinois 60606, on May 22, 2008 at 1:00 p.m., to be examined under oath concerning the indebtedness owed to the plaintiff.¹ The citation was issued on the basis of a judgment against the judgment debtor, Dixon Interiors, Inc., in favor of the judgment creditor.

YOUR FAILURE TO APPEAR AS DIRECTED BY THIS CITATION NOTICE MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A

¹ Plaintiffs reserve the right to take citation deposition, but may waive such right upon review of the documents requested. See Ill. Rev. Stat. ch. 110A §277. Please contact plaintiff's counsel, Karen I. Engelhardt (312) 364-9400 to discuss charges for documentation requested prior to copying and sending documents.

CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL. Judgment was entered on April 24, 2008, in the amount of \$85,383.71 against defendant, Dixon Interiors, Inc. To date, the entire amount of the judgment remains due. On or after the court date shown above, the court may compel the application of any discovered income or assets toward payment on the judgment. At the examination, you are commanded to produce with respect to Dixon Interiors, Inc., the following:

Any funds held by the West Suburban Bank in any account held by Dixon Interiors, Inc., and should there be no funds, documents reflecting financial status of the judgment debtor, Dixon Interiors, Inc.

YOU ARE PROHIBITED from making or allowing any transfer or other disposition of or interfering with any property not exempt from execution or garnishment belonging to the judgment debtor, Dixon Interiors, Inc., to which plaintiff may be entitled or which may be acquired by or become due to him and from paying over or otherwise disposing of any money not so exempt, which is due or becomes due to him until the further order of court or termination of the proceedings. You are not required to withhold the payment of any money beyond double the amount of the judgment. The amount of income or assets that may be applied toward the judgment is limited by federal and Illinois law. THE JUDGMENT DEBTOR HAS THE RIGHT TO ASSET STATUTORY EXEMPTIONS AGAINST CERTAIN INCOME OR ASSETS OF THE JUDGMENT DEBTOR WHICH MAY NOT BE USED TO SATISFY THE JUDGMENT IN THE AMOUNT STATED ABOVE:

(1) Under Illinois or federal law, the exemptions of personal property owned by the debtor include the debtor's equity interest, not to exceed \$2,000.00 in value, in any personal property as chosen by the debtor; Social Security and SSI benefits; public assistance benefits; Unemployment compensation benefits; workers compensation benefits; Veteran's benefits; Circuit breaker property tax relief benefits; the debtor's equity interest not to exceed \$1,200.00 in value, in any one motor vehicle, and the debtor's equity interest, not to exceed \$750.00 in value, in any implements professional books, or tools of the trade of the debtor.

(2) Under Illinois law, every person is entitled to estate in homestead, when it is owned and occupied as a residence, to the extent in value of \$7,500.00, which homestead is exempt from judgment.

(3) Under Illinois law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 15% of gross weekly wages or (ii) the amount by which disposable earnings for a week exceed the total of 45 times the federal minimum hourly wage.

(4) Under federal law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 25 % of disposable earning for a week exceed 30 times the federal minimum hourly

wage.

(5) Pension and retirement benefits and refunds may be claimed as exempt under Illinois law.

The judgment debtor may have other possible exemptions under the law. THE JUDGMENT DEBTOR HAS THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT CERTAIN INCOME OR ASSETS OR BOTH. The judgment debtor also has the right to seek a declaration at an earlier date by notifying the clerk in writing at the office of the United States District Court for the Northern District of Illinois, Eastern Division, 219 South Dearborn Street, 20TH floor, Chicago, Illinois. When so notified, the Clerk of the Court will obtain a prompt hearing from the Court and will provide the forms that must be prepared by the judgment debtor and sent to the judgment creditor and the judgment creditor's attorney regarding time and location of hearing. This notice may be sent by registered or first class mail. If you claim an exemption as indicated above or have other questions regarding the procedures, you may contact the judgment creditor's attorney, Karen I. Engelhardt at (312) 364-9400.

YOUR FAILURE TO COMPLY WITH THIS CITATION MAY SUBJECT YOU TO PUNISHMENT FOR CONTEMPT OF THIS COURT OR TO A JUDGMENT FOR THE AMOUNT UNPAID.

Witness:

MICHAEL W. DOBBINS

CLERK OF COURT

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MAY X 9 2008

DATE